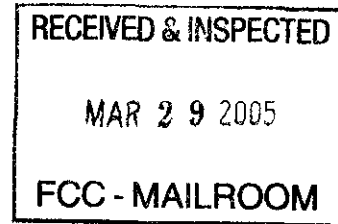


LAW OFFICES
STANLEY ALPERT, P.A.
20 S. CHARLES STREET
SUITE 300
BALTIMORE, MARYLAND 21201-3283



410-685-1711
FAX 410-685-1771
SALPERT247@AOL.COM

March 16, 2005

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554
21

Re: CC Docket No. 02-6
Request for Review/Request for Waiver
Greater Homewood Community Corporation, Inc.: 200317
Commitment Adjustment
Funding Year 2000
Form 471 Application Number: 193903

Dear Sir/Madam:

This Letter of Appeal/Waiver Request is a *Request for Review* by Greater Homewood Community Corporation, Inc. (the "GHCC") of the Administrator's Decision on Appeal, dated January 18, 2005 and attached as Exhibit #1, of the Schools & Libraries Division (the "SLD") of the Universal Service Administrative Company (the "USAC") in regard to the decision of the SLD to rescind in full the funding request as set forth in Exhibit #2 because GHCC did not have an approved technology plan which was required by the rules of the SLD Universal Service Support Mechanism (the "E-rate Program"). Please also consider this communication as a *Request for Waiver* of the E-rate Program requirement that GHCC have an approved technology plan in place and approved prior to the submission of Form 486 or the date the services began in order to receive discounts on service.

Refunds are being requested from three of GHCC's Service Providers who were paid 90% of the cost of their services directly by the ("USAC") and 10% by GHCC. These companies and reference numbers are as follows:

Funding Request Number:	415717	SPIN: 143014008
Service Provider:	Charm Net, Inc.	
Contract Number:	011800	
Services Ordered:	INTERNET ACCESS	
Site Identifier:	200317	GHCC Literacy Program
Billing Account Number:	4102613509	
Adjusted Funding Commitment:	\$0.00	
Funds Disbursed to Date:	\$2,643.48	

No. of Copies rec'd 0
List ABCDE

Funds to be Recovered: \$2,643.48

Funding Request Number: 415862 SPIN: 143005588
Service Provider: **CDW Computer Centers, Inc.**
Contract Number: 011800
Services Ordered: INTERNAL CONNECTIONS
Site Identifier: 200317 GHCC Literacy Program
Billing Account Number: 4102613509
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$1,571.93
Funds to be Recovered: \$1,571.93

Funding Request Number: 415934 SPIN: 143011962
Service Provider: **TRG Networking.**
Contract Number: 011800
Services Ordered: INTERNAL CONNECTIONS
Site Identifier: 200317 GHCC Literacy Program
Billing Account Number: 4102613509
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$6,480.00
Funds to be Recovered: \$6,480.00.

GHCC is requesting that the FCC waive the requirement of an approved technology plan (the "Technology Plan") and reverse the SLD's decision on appeal with respect to the above-referenced funding request due to the following:

- A. GHCC could not have avoided having a pre-approved Technology Plan in place even with careful planning;
- B. To penalize GHCC would result in substantial hardship and inequity to GHCC;
- C. That the public interest would be served by granting the relief requested as a result of the community good that is accomplished as a result of GHCC's endeavors, and particularly the utilization of the funds which are the subject matter of this communication;

- D. That there was substantial compliance by GHCC in that the Technology Plan was submitted and it was assumed that it had been approved by virtue of the funds released - GHCC filed the Technology Plan and believes that through no fault of its own, said plan was not approved as explained hereafter;
- E. That GHCC has expended the funds, in question, for the benefit of the community and has not profited from the expenditure of said funds.

1. GHCC'S FAILURE TO HAVE A PRE-APPROVED TECHNOLOGY PLAN COULD NOT BE AVOIDED EVEN WITH CAREFUL PLANNING.

It is the belief of GHCC that the FCC should grant the waiver of the E-rate Program rules since the failure to comply with said rules was a result of circumstances that could not have been avoided, i.e., GHCC submitted a Technology Plan for review by the Maryland State Department of Education (the "MSDE") which was the established process available during the year 2000. As instructed, GHCC submitted the Technology Plan to the MSDE for approval prior to requesting funding or receiving any services for which reimbursement is sought. GHCC received no further direction from MSDE in regard to the said Technology Plan. GHCC provided its Technology Plan to MSDE AEL Program Manager, Michelle Frazier, who then submitted it to the MSDE's Telecommunications Office. It is believed and therefore averred that said office was responsible for the E-rate Program and approval in Maryland as to review and approval. It is further understood that the MSDE staff member who had received the Technology Plan, aforementioned, retired and no one took over the review or approval of the Technology Plan. No communication was received from MSDE after the plan was submitted. It was assumed that the plan had been approved since the funds were released. See also Exhibits #3 and #4.

As aforementioned, E-rate reimbursements and funding authorizations were received in the year 2000, leaving GHCC with the understanding or belief that the Technology Plan had been approved and that everything was in order. Jim Fragomeni, a volunteer worker with GHCC did submit the Technology Plan as he had done for other organizations and it appeared that all of his submissions were in order and approved, until the results of the audit, in question, was made known to GHCC.

It would be blatantly unfair that GHCC should be penalized for not having the official approval in advance of submitting Form 486 since it was due to MSDE's approval process system which greatly contributed to the misunderstandings that have occurred and the inequities that will result if relief is not granted. It was the intention of GHCC, at all times, to comply with the requirements dictated for the E-rate Program. However, due to circumstances beyond the control of GHCC (the retirement of an employee), and MSDE's failure to set up a process for review of

technology plans in a timely manner, the result of which, notwithstanding the attempts to comply with the aforementioned program, resulted in the lack of an improved Technology Plan for the year 2000 which could not have been avoided.

2. **FAILURE TO WAIVE THE PRE-APPROVED TECHNOLOGY PLAN REQUIREMENT WILL RESULT IN SUBSTANTIAL HARDSHIP AND INEQUITY TO GHCC**

GHCC was established in the year 1969 and is a non-profit organization that works with community members in some forty (40) neighborhoods of North-Central Baltimore, Maryland - making them safer and better places to live. GHCC adult basic literary program brings together learners and tutors in the largest volunteer based program in Baltimore, Maryland. It advances public education by working to improve the quality of learning and community support with six (6) public school partners. The GHCC serves approximately 400 students annually.

Substantial hardship and inequity would result in requiring GHCC to refund the amounts paid pursuant to the above funding requests. As stated above, the failure to have an approved technology plan was not an attempt to circumvent the E-rate Program rules but rather due to a series of events outside of the control of GHCC. Again, as above stated, GHCC, at all times, believed that the Technology Plan had been approved and that no further approval was required. It is also believed that GHCC substantially complied with provisions of the E-rate Program. No one notified, either orally or in writing, any representative of GHCC that the Technology Plan had not been approved or that a Technology Plan would have to be resubmitted. The services for which monies have been expended have been provided and the community has benefited from same. A ruling to rescind the authorization and recoup the funds is unfair and will work a hardship in the continuation of the community good that is provided by GHCC.

Deviation from the E-rate Program will serve the public interest. GHCC has served the public interest since many low income and educationally disadvantaged adults in the Baltimore, Maryland area have benefited from the funds in question and the services provided by GHCC.

Thank you for considering the position of GHCC with regard to the decision first above mentioned. If the FCC requires additional information, GHCC would be most happy to provide same and discuss its request for review, request for waiver, and relief.

Mr. William T. Miller, the Executive Director of GHCC can be reached at 410-261-3513 to answer any questions that you may have.

Federal Communications Commission

March 16, 2005

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Respectfully submitted,



Stanley Alpert

Greater Homewood Community Corporation, Inc.

By: 
William T. Miller, Executive Director

SA/cmb

CERTIFIED MAIL - RETURN RECEIPT REQUESTED



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2000-2001

January 18, 2005

Stanley Alpert
Stanley Alpert, P.A.
20 S. Charles Street
Baltimore, MD 21201

Re: Greater Homewood Community Corporation, Inc. Literacy Program (GHCC)

Re: Billed Entity Number: 200317
 471 Application Number: 193903
 Funding Request Number(s): 415717, 415862, 415934
 Your Correspondence Dated: July 23, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2000 Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 415717, 415862, 415934
Decision on Appeal: **Denied in full**
Explanation:

- On appeal, you seek reversal of the SLD decision to rescind the approved funding for the referenced application. You further affirm that Greater Homewood Community Corporation, Inc. Literacy Program (GHCC) proceeded in good faith with the approved work only after receiving an approved Funding Commitment Decision Letter (FCDL).
- After a thorough review of the appeal letter, the audit report and its surrounding documentation, it was determined that during the audit, the auditors found that the GHCC did not have an approved technology plan as required by the program. In accordance with the rules of this Support Mechanism, a technology plan must be approved prior to the submission of the Form 486 or the date the services begin in order to receive discounts on services other than basic Local and Long Distance telephone service. Since the referenced FRNs are not a request for basic Local or

Long Distance Service an approved technology plan was required. Accordingly the funding request must be rescinded in full.

- Your Form 471 requested funding for products and/or services other than basic local and long distance telephone service. FCC rules require applicants to certify that the entities receiving products and/or services other than basic telephone service are covered by an individual and/or higher-level technology plan that has been, or is in the process of being approved. 47 C.F.R. § 54.504(b)(2)(vii); *See* Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 Block 6, item 26, 27 (*FCC Form 471*).
- On your Form 471, you certified that the recipients of products and/or service were covered by an individual and/or higher-level technology plan and that the technology plan had been approved or was in the process of being approved. During the review of your application, SLD requested that you provide a copy of your technology plan. You failed to provide a copy of your technology plan. Consequently, SLD denies your appeal.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the Federal Communications Commission (FCC). For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Sup 2

LAW OFFICES
STANLEY ALPERT, P.A.
20 S. CHARLES STREET
SUITE 300
BALTIMORE, MARYLAND 21201-3283

410-685-1711
FAX 410-685-1771
SALPERT247@AOL.COM

July 23, 2004

Letter of Appeal
Schools and Libraries Division
Box 125 - correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Appeal of Commitment Adjustment Letter
Funding Year 2000-2001
Form 471 Application Number: 193903
Billed Entity Name: GHCC Literacy Program

Dear Sir/Madam:

Please be advised that this office represents the Greater Homewood Community Corporation, Inc. Literacy Program ("GHCC"). Accordingly, this letter is submitted on behalf of GHCC and constitutes an appeal of the decision of the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") decision as stated in their Commitment Adjustment Letter of May 27, 2004 which states in part, " ... *This funding request will be rescinded in full. An audit found that the applicant did not have an approved technology plan as approved by the rules of the SLD Universal Service Support Mechanism ("E-rate Program").*

Refunds are being requested from three of GHCC's Service Providers who were paid 90% of the cost of their services directly by the ("USAC") and 10% by GHCC. These companies and the reference numbers are as follows:

Funding Request Number:	415717	SPIN: 143014008
Service Provider:	Charm Net, Inc.	
Contract Number:	011800	
Services Ordered:	INTERNET ACCESS	
Site Identifier:	200317	GHCC Literacy Program
Billing Account Number:	4102613509	
Adjusted Funding Commitment:	\$0.00	
Funds Disbursed to Date:	\$2,643.48	
Funds to be Recovered:	\$2,643.48	

Funding Request Number:	415862	SPIN: 143005588
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Letter of Appeal
Schools and Libraries Division
July 23, 2004
Pages 2

Service Provider:	CDW Computer Centers, Inc.
Contract Number:	011800
Services Ordered:	INTERNAL CONNECTIONS
Site Identifier:	200317 GHCC Literacy Program
Billing Account Number:	4102613509
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$1,571.93
Funds to be Recovered:	\$1,571.93

Funding Request Number:	415934	SPIN: 143011962
Service Provider:	TRG Networking.	
Contract Number:	011800	
Services Ordered:	INTERNAL CONNECTIONS	
Site Identifier:	200317	GHCC Literacy Program
Billing Account Number:	4102613509	
Adjusted Funding Commitment:	\$0.00	
Funds Disbursed to Date:	\$6,480.00	
Funds to be Recovered:	\$6,480.00	

GHCC respectfully requests that the decision of the Schools and Libraries Division ("SLD") reverse its decision with respect to the above referenced funding requests since the GHCC Literacy Program only proceeded with the approved work when it received a Funding Commitment Decision Letters, dated April 21, 2000 stating **TECHNOLOGY PLAN APPROVAL STATUS: PENDING APPROVAL** (See EXHIBIT # 1 attached hereto). See also exhibit #2 which is a communication of September 2, 2001 that stated in its Funding Commitment Report: **TECHNOLOGY PLAN APPROVAL STATUS: APPROVED**. As a result of the aforementioned and my clients belief that the funding from the Universal Service Administrative Company ("USAC") was in order, GHCC did proceed in good faith and would not have gone further without the benefit or comfort of believing that it was proceeding properly.

The Greater Homewood Community Corporation is a small community-based organization with very limited resources. Your funding has allowed GHCC to reach low-income people and achieve accomplishments and goals that would not have been possible without your funding. GHCC did not profit from the aforementioned funds which were paid directly to the Service Providers. Again, GHCC would never have acted to implement these technology improvements unless they believed that approval was in place and that low income recipients would benefit from said funds.

.For all the foregoing reasons, GHCC respectfully requests that the SLD reconsider its Commitment Adjustment Decision and approve the funding paid to GHCC's Service Providers

Letter of Appeal
Schools and Libraries Division
July 23, 2004
Page 3

mentioned herein. Should the SLD have any questions or require further information, please do not hesitate to contact the undersigned at the address, fax number. E-mail and telephone number above listed on this letterhead.

Thank you for your time and consideration.

Very truly yours,

Stanley Alpert

Greater Homewood Community Corporation, Inc.

By: _____

SA/cmb

Ex. #3



UNIVERSAL SERVICE
ADMINISTRATIVE CO.

Box 121 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

SCHOOLS AND LIBRARIES DIVISION

FUNDING COMMITMENT DECISION LETTER

(Funding Year 3: 07/01/2000-06/30/2001)

April 21, 2000

TRG Networking
Pinchas Fleischman
8422 Ballona Lane, Suite 102
Towson, MD 21204-2058

Re: Service Provider Name: TRG Networking
Service Provider Identification Number: 143011962

Thank you for participating in the E-rate program for Funding Year 3 (07/01/2000 - 06/30/2001). This letter is your notification of our decision(s) regarding applications that listed your company's Service Provider Identification Number (SPIN) as providing service(s) eligible for discounts.

As was the case in previous program years, there are a number of steps that need to be completed in order to implement E-rate discounts. In an effort to expedite the process of implementing discounts, we are providing detailed information regarding the status of your customers' requests for discounts in the form of a series of Funding Commitment Reports. Attached are reports of our decisions made for customers listing your SPIN in their Form 471 applications. Each report contains detailed information extracted from the Applicant's Form 471 as well as an explanation of our decision regarding their Discount Funding Request.

NEXT STEPS

Once you've reviewed this letter, we urge you to contact your customers to begin any necessary arrangements regarding start of services, billing of discounts or any other administrative details for implementation of E-rate services. As a reminder, only services delivered and installed July 1, 2000, to June 30, 2001, are eligible for these discounts. Applicants have been encouraged to contact you regarding their E-rate commitments. After Applicants have received their Funding Commitment Decision Letter, they will be required to file an FCC Form 486, "Receipt of Service Confirmation Form." THIS FORM IS UNDER REVISION AND WILL BE MADE AVAILABLE AS SOON AS IT IS READY. We will send you a Form 486 Notification Letter when we receive a Form 486 from Applicants who cite your SPIN, and will also provide guidance on how to invoice the Schools and Libraries Division (SLD) for payment on discounts for services listed in the respective Form 486. An appeal of the funding decisions detailed in a Funding Commitment Decision Letter must be received within 30 days of the date on the Funding Commitment Decision Letter. (Information on the appeal process can be found in the "How to Apply, Step-by-Step" area of the SLD web site, www.sl.universalservice.org) Therefore, prompt communication with your customer is essential.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Universal Service mechanisms for schools and libraries. FCC Form 471 Applicants who have received funding commitments continue to be subject to audits and other reviews that SLD or the Federal Communications Commission may undertake periodically to assure that funds have been committed and are being used in accordance with all such requirements. If the SLD subsequently determines that its commitment was erroneously issued due to action or inaction, including but not limited to that by SLD, the Applicant, or Service Provider,

and that the action or inaction was not in accordance with such requirements, SLD may be required to cancel those funding commitments and seek repayment of any funds disbursed not in accordance with such requirements. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Thank you for the work you are doing to connect our schools and libraries through advanced telecommunications services.

Sincerely,

Kate L. Moore
President, Schools and Libraries Division, USAC

Enclosures

A GUIDE TO THE FUNDING COMMITMENT REPORT

Attached to this letter will be a report for each approved E-rate funding request featuring your SPIN. We are providing the following definitions:

- * **FUNDING REQUEST NUMBER (FRN):** A Funding Request Number is assigned by the SLD to each line completed in Block 5 of the Applicant's Form 471 once an application has been processed. This number is used to report to Applicants and Service Providers the status of individual discount requests submitted on a Form 471.
- * **FORM 471 APPLICATION NUMBER:** A unique identifier assigned to a Form 471 application by the SLD (from Item 3b of the Form 471).
- * **FORM 470 APPLICATION NUMBER:** A unique identifier assigned by the SLD to a Form 470 as listed in Block 5, Item 12 of the Form 471.
- * **NAME OF 471 APPLICANT:** Name of entity that applied to the SLD, from Item 1 of the Form 471.
- * **ADDRESS OF 471 APPLICANT:** Address of entity that applied to the SLD from Item 1 of the Form 471. Includes street address and state, city and zip code.
- * **ENTITY NUMBER:** A unique identifier assigned by the SLD for the Applicant.
- * **NAME OF CONTACT PERSON:** The name of the contact person from Block 1, Item 6 of the Form 471.
- * **PREFERRED MODE OF CONTACT:** i.e., telephone, fax, E-mail or standard mail.
- * **CONTACT INFORMATION:** i.e., telephone number, fax number, E-mail address, or mailing address based on preferred mode of contact.
- * **FUNDING YEAR:** The funding year for which discounts have been requested.
- * **FUNDING STATUS:** Each FRN will have one of three definitions: "Funded," "Not Funded," or "As Yet Unfunded." This service provider notification will not include FRNs in the "As Yet Unfunded" status.
 1. An FRN that is "Funded" will be approved at the level that SLD determined is appropriate for that item. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
 2. An FRN that is "Not Funded" is one for which no funds will be committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision," and amplification of that explanation may be offered in the section, "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules or because the total amount of funds in the Universal Service Fund was insufficient to fund all requests.
 3. An FRN that is "As Yet Unfunded" in an Applicant's Funding Commitment Decision Letter reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for internal connections at a particular discount level. For example, if the application included requests for discounts on both telecommunications services and internal connections, the applicant might receive a letter with a funding commitment for their telecommunications funding requests and a message that their internal connections requests are "As Yet Unfunded." The funding decision on those internal connections requests will be included in a subsequent Funding Commitment Decision Letter.
- * **CONTRACT NUMBER:** The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on Form 471.
- * **SERVICES ORDERED:** The category of service ordered from the service provider, as shown on Form 471, Block 5, Item 11.
- * **SITE IDENTIFIER:** The Entity Number listed in Form 471, Block 5, Item 22a will be listed. This will appear only for "site specific" FRNs.
- * **BILLING ACCOUNT NUMBER:** The account number that you have established with your customer for billing purposes. This will be present only if a Billing Account Number was provided on Form 471.

- * **ALLOWABLE CONTRACT DATE:** The earliest date the Applicant was permitted to sign a contract for services after posting a Form 470.
- **CONTRACT AWARD DATE:** The date that the contract for this service was awarded.
- * **EARLIEST POSSIBLE EFFECTIVE DATE OF DISCOUNT:** The first possible date of service for which the SLD will reimburse service providers for the discounts for the service. Note: If the actual service start date provided on a Form 486 is later than this date, the actual service start date set forth in the Form 486 will be the effective date of the discount.
- * **CONTRACT EXPIRATION DATE:** The date the contract expires. This will be present only if a contract expiration date was provided on Form 471.
- * **TOTAL ESTIMATED MONTHLY RECURRING CHARGES:** Estimate of the total monthly charges for the recurring service.
- * **PORTION OF TOTAL ESTIMATED MONTHLY RECURRING CHARGES THAT IS INELIGIBLE:** Total charges associated with ANY ineligible services, entities, or uses included in the Total Estimated Monthly Charges for this service.
- * **ELIGIBLE MONTHLY PRE-DISCOUNT AMOUNT FOR RECURRING CHARGES:** Total Estimated Monthly Recurring Charges less the Portion of Total Estimated Monthly Recurring Charges that is Ineligible. The total amount of eligible charges approved under program.
- * **NUMBER OF MONTHS RECURRING SERVICE PROVIDED IN PROGRAM YEAR:** Number of months the service will be provided in the funding year.
- * **ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING SERVICES:** Eligible Monthly Pre-Discout Amount for Recurring Charges multiplied by Number of Months Recurring Service Provided in Program Year.
- **ANNUAL NON-RECURRING CHARGES:** Estimate of the total amount of non-recurring (one time) pre-discount charges for this service.
- * **PORTION OF ANNUAL NON-RECURRING CHARGES THAT IS INELIGIBLE:** Total cost associated with ANY ineligible services, entities, or uses included in the Annual Non-Recurring Charges.
- * **ANNUAL ELIGIBLE PRE-DISCOUNT AMOUNT FOR NON-RECURRING CHARGES:** Annual Non-Recurring Charges less the Portion of Annual Non-Recurring Charges that is Ineligible. The total amount of eligible non-recurring charges requested under program.
- * **TOTAL PROGRAM YEAR PRE-DISCOUNT AMOUNT:** The total eligible recurring and non-recurring charges under the program for the Funding Year.
- * **APPLICANT'S APPROVED DISCOUNT PERCENTAGE:** This is the discount rate that the SLD has approved for this service.
- **FUNDING COMMITMENT DECISION:** This represents the total amount of funding that the SLD is now reserving to reimburse service providers for the discounts for this service through June 30, 2001. This figure may be different from the Estimated Total Annual Pre-Discout Cost (Block 5, Item 23, Column 1) times the Percentage Discount (Block 5, Item 23, Column J) in the 471 application. It may be lower because of an adjustment determined appropriate by the SLD, such as of the discount percentage, or a denial of discounts and, if so, the accompanying comment will explain this difference. Whatever amount is listed here, it is important that you and the 471 Applicant both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only on eligible, approved services actually delivered and installed.
- * **FUNDING COMMITMENT DECISION EXPLANATION:** This entry may appear to amplify the comment in the "Funding Commitment Decision," if the SLD determined that some adjustment to the request level was appropriate.
- * **TECHNOLOGY PLAN APPROVAL STATUS:** This indicates whether the technology plans of the entities included in the Form 471 application have received approval, are pending, or are not needed. Consortium applications may feature both "approved" and "pending approval" status. This is from Block 6, Item 27 of the Form 471 application.
- * **WAVE NUMBER:** The number of the grouped mailing in which the Applicant's Funding Commitment Decision Letter was included.

FUNDING COMMITMENT REPORT

Service Provider Name: TRG Networking
Service Provider Identification Number: 143011962
Funding Request Number: 415934
Form 471 Application Number: 193903
Form 470 Application Number: 417040000266530
Name of 471 Applicant: GHCC LITERACY PROGRAM
Applicant Street Address: 3501 NORTH CHARLES STREET
Applicant City: BALTIMORE
Applicant State: MD
Applicant Zip: 21218
Entity Number: 200317
Name of Contact Person: Jim Fragomeni
Preferred Mode of Contact: EMAIL
Contact Information: JFragomeni@aol.com
Funding Year: 07/01/2000 - 06/30/2001
Funding Status: Funded
Contract Number: 011800
Services Ordered: Internal Connections
Site Identifier: 200317
Billing Account Number: 4102613509
Allowable Contract Date: 01/05/2000
Contract Award Date: 01/18/2000
Earliest Possible Effective Date of Discount: 07/01/2000
Contract Expiration Date: 06/30/2001
Total Estimated Monthly Recurring Charges: \$800.00
Portion of Total Estimated Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$800.00
Number of Months Recurring Service Provided in Program Year: 12
Annual Pre-Discount Amount for Eligible Recurring Services: \$9600.00
Annual Non-Recurring Charges: \$0.00
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Eligible Pre-Discount Amount for Non-Recurring Charges: \$0.00
Total Program Year Pre-Discount Amount: \$9600.00
Applicant's Approved Discount Percentage: 90
Funding Commitment Decision: \$8640.00 - 471 approved as submitted
Technology Plan Approval Status: Pending Approval
Wave Number: 002
Applicant Letter Date: 04/21/2000

- * APPLICANT LETTER DATE: The date on the Applicant's Funding Commitment Decision Letter.

Ex # 26



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 4: 07/01/2001-06/30/2002)

September 4, 2001

TRG Networking
Dennis Kelley
8422 Ballena Lane
Suite 102
Towson, MD 21204

Re: Service Provider Name: TRG Networking
Service Provider Identification Number: 143011962

Thank you for participating in the E-rate program for Funding Year 4 (07/01/2001-06/30/2002). This letter is your notification of our decision(s) regarding applications that listed your company's Service Provider Identification Number (SPIN) as providing service(s) eligible for discounts.

As was the case in previous program years, there are a number of steps that need to be completed in order to implement E-rate discounts. In an effort to expedite the process of implementing discounts, we are providing detailed information regarding the status of your customers' requests for discounts in the form of a series of Funding Commitment Reports. Attached are reports of our decisions made for customers listing your SPIN in their Form 471 applications. Each report contains detailed information extracted from the Applicant's Form 471, as well as an explanation of our decision regarding their Discount Funding Request.

NEXT STEPS

Once you've reviewed this letter, we urge you to contact your customers to begin any necessary arrangements regarding start of services, billing of discounts or any other administrative details for implementation of E-rate services. As a reminder, only services delivered in accordance with Federal Communications Commission (FCC) rules on service delivery periods are eligible for these discounts. Applicants have been encouraged to contact you regarding their E-rate commitments. After applicants have received their Funding Commitment Decision Letter, they will be required to file FCC Form 486, "Receipt of Service Confirmation Form." We will send you a Form 486 Notification Letter when we receive a Form 486 from Applicants who cite your SPIN, and will also provide guidance on how to invoice the Schools and Libraries Division (SLD) for reimbursement of discounts for services listed in the respective Form 486. There is a new Form 486, dated July 2001 in the lower right corner, that MUST be used for Funding Year 4 and for any previous funding years once it becomes available. Subsequent submissions of earlier versions of the Form 486 will be returned to the Applicant and will not be able to be processed.

On December 21, 2000, the Children's Internet Protection Act was signed into law, and applicants will be required to use the Form 486 to certify their compliance status. Because of this new feature on the Form 486, you should carefully review the Form 486 Notification Letter(s) you receive to make sure no changes have occurred since this Funding Commitment Decision Letter. In order to receive discounts for Internet access and internal connections services under the universal service support mechanism, school and library authorities must certify that they are enforcing a policy of Internet safety that includes measures to block or filter Internet access for both minors and adults to certain visual depictions. For Funding Year 4, recipients are not required to have the policies and technology measure in place; they may certify that they are undertaking

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necessary actions to put them in place for the following year.

Any appeal of the funding decisions detailed in a Funding Commitment Decision Letter must be received within 30 days of the date on the Funding Commitment Decision Letter. (Information on the appeal process can be found in the "How to Apply, Step-b/-Step" area of the SID web site, www.sl.universalservice.org) Therefore, prompt communication with your customer is essential.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the universal service mechanisms for schools and libraries. FCC Form 471 Applicants who have received funding commitments continue to be subject to audits and other reviews that SID or the Federal Communications Commission may undertake periodically to assure that funds have been committed and are being used in accordance with all such requirements. If the SID subsequently determines that its commitment was erroneously issued due to action or inaction, including but not limited to that by SID, the Applicant, or Service Provider, and that the school or institution was not in accordance with such requirements, SID may be required to cancel those funding commitments and seek repayment of any funds disbursed not in accordance with such requirements. The SID, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Thank you for the work you are doing to connect our schools and libraries through advanced telecommunications services.

Sincerely,

Schools and Libraries Division
Universal Service Administrative Company

Enclosures

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FUNDING COMMITMENT REPORT

Service Provider Name: TEG Networking
Service Provider Identification Number: 143011952

Funding Request Number: 599750
Form 471 Application Number: 245940
Form 470 Application Number: 425590000320929
Name of 471 Applicant: GROC LITERACY PROGRAM
Applicant Street Address: 3501 NORTH CHARLES STREET
Applicant City: BALTIMORE
Applicant State: MD
Applicant Zip: 21218
Entity Number: 200317
Name of Contact Person: Office Manager
Preferred Mode of Contact: EMAIL
Contact Information: jtraganis@aol.com
Funding Year: 07/01/2001 - 06/30/2002
Funding Status: Funded
Contract Number: N/A
Services Ordered: Internal Connections
Site Identifier: 200317
Billing Account Number: GROC
Allowable Vendor Selection/Contract Date: 01/01/2001
Contract Award Date: N/A
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Total Estimated Monthly Recurring Charges: \$500.00
Portion of Total Estimated Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$500.00
Number of Months Recurring Service Provided in Program Year: 12
Annual Pre-Discount Amount for Eligible Recurring Services: \$7200.00
Annual Non-Recurring Charges: \$0.00
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Eligible Pre-Discount Amount for Non-Recurring Charges: \$0.00
Total Program Year Pre-Discount Amount: \$7200.00
Applicant's Approved Discount Percentage: 90
Funding Commitment Decision: \$6480.00 - ERN approved as submitted
Technology Plan Approval Status: Approved
Wave Number: 004
Applicant Letter Date: 05/04/2001